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8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA

10 DANIEL C. ACIDERA and LEONARDA ACIDERA,) Case No.: C-09-03006 EMC
11)
12 vs.) Plaintiffs,) MOTION FOR EXENSIONOF TIME TO SERVE
13))
14 SCME MORTGAGE BANKERS, INC., GMAC, INC.,))
15 COUNTRYWIDE BANK (now BANK OF AMERICA,))
16 INC.), HOMECOMINGS FINANCIAL, DOES))
17 1 – 10, DOE CORPORATIONS 1 – 10, Inclusive,))
18)
19 Defendants.))
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Plaintiffs, Daniel C. Acidera and Leonarda Acidera, move the Court to allow them an additional 30 days to serve their Complaint, which was filed with the Court on July 6, 2009. The basis of this motion is as follows:

An error was discovered in the complaint relating to allegations against defendant GMAC. Plaintiff wishes to amend the complaint to rectify this error and a typographical error in the actual name of plaintiff Daniel Acidera.

This motion is not made for the purpose of delay and no defendant will be prejudiced thereby.

WHEREFORE, Plaintiffs' respectfully request an additional 30 days, or until February 24, 2010, to amend and serve the Complaint on the defendants identified by that date.

Dated: January 25, 2010

Respectfully submitted,

THE LAW OFFICES OF DEBORAH J. PIMENTEL

/s/

Deborah J. Pimentel
Attorney for Plaintiffs Daniel and Leonarda Acidera